

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jul 01, 2020

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,
Plaintiff,

-vs-

MAURICE KEYONGRAY SHELTON
Defendant.

No. 2:13-CR-0008-WFN-35

ORDER

Pending before the Court is Defendant's Request for Compassionate Release Under the Care Act 18 U.S.C. § 3582(c)(1)(A). ECF No. 4533. Compassionate release allows early release of a defendant if they meet the conditions set out in the statute. A defendant must first exhaust their claim with the Bureau of Prisons. Defendant submitted documentation that his request to the Bureau of Prisons was denied.

Next Defendant must demonstrate that "(i) extraordinary and compelling reasons warrant such a reduction; or (ii) the defendant is at least 70 years of age, has served at least 30 years in prison, pursuant to a sentence imposed under section 3559(c) . . . and a determination has been made by the Director of the Bureau of Prisons that the defendant is not a danger to the safety of any other person or the community, as provided under section 3142(g)" 18 U.S.C. § 3582(c)(1)(A). As Defendant is not over 70 years old, he must demonstrate that extraordinary and compelling reasons warrant reduction. Defendant has not demonstrated extraordinary or compelling reasons to warrant reduction. Defendant is understandably concerned that his health will be at risk if the virus sweeps through FCI Phoenix. Unfortunately, the pandemic continues to worsen in much of the United States. Defendant presented no evidence that his health causes him to be at an increased risk of serious illness or death if he were to become infected. Consequently, the Court cannot

1 conclude that Defendant has presented extraordinary or compelling reasons for release. The
2 Court has reviewed the file and Motion and is fully informed. Accordingly,

3 **IT IS ORDERED** that Defendant's Request for Compassionate Release Under the
4 Care Act 18 U.S.C. § 3582(c)(1)(A), filed May 27, 2020, **ECF No. 4533**, is **DENIED**.

5 The District Court Executive is directed to file this Order and provide copies to
6 counsel and *pro se* Defendant.

7 **DATED** this 1st day of July, 2020.

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10 WM. FREMMING NIELSEN
11 SENIOR UNITED STATES DISTRICT JUDGE

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